

Invitation to Comment and Guidelines

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| Title | A Balancing Act: Accommodating the Needs of the Bench, Bar, and Media in the Pursuit of Justice, Bench-Bar-Media Committee Draft Report, August 2010 |
| Summary | The Bench-Bar-Media Committee seeks input on draft recommendations related to fostering improved understanding and working relationships among California's judges, lawyers, and journalists. After the public comment process and further refinement to the recommendations based on input received during the public comment period, the final report and recommendations will be submitted to the Judicial Council of California. The draft recommendations and report can be found on the California Courts website at www.courtinfo.ca.gov/invitationstocomment . |
| Source | Bench-Bar-Media Committee Hon. Carlos R. Moreno, Chair |
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| Deadline for Comments | Friday, October 29, 2010 by 5:00 p.m. |

Discussion

The Bench-Bar-Media Committee was formed by California Chief Justice Ronald M. George in March 2008. It was created to foster improved understanding and working relationships among California judges, lawyers, and journalists. Chaired by Associate Justice Carlos R. Moreno of the Supreme Court of California, the committee includes appellate court justices, superior court judges, attorneys specializing in the First Amendment, a prosecutor, a criminal defense attorney, journalists, an academic, a superior court executive officer and a superior court public information officer (PIO).

Rather than receiving a formal charge, the committee was asked to identify and address the critical issues surrounding the relationships among the courts, attorneys, and media. Accordingly, the committee developed the following purpose statement to guide its work.

The Bench-Bar-Media Committee should work to improve the system of justice and foster public trust and confidence in that system through cooperative and positive relationships among these three stakeholders on a statewide and regional basis. To address the committee's purpose, the following strategies have been identified:

- Identify and address the key issues affecting interactions among the three stakeholders;

- Encourage fair and accurate reporting;
- Propose recommendations on a variety of issues, such as the use of cameras in the courtroom, media access to public records, appropriate interaction with internet-based media not aligned with traditional media, creation of local or regional bench-bar-media committees, and development of media outreach programs that would include all three stakeholder groups;
- Eliminate unnecessary conflicts between the stakeholders without legal action, where possible, and improve the process of identifying and resolving those conflicts that require legal resolution;
- Discuss the creation of local or regional committees to communicate with the media and/or the courts on urgent or sensitive matters affecting all three stakeholder groups;
- Encourage the public and the media to learn about the judicial system, and the judicial branch to learn about the media; and
- Provide a forum for ongoing dialogue.

The committee arrived at eleven recommendations and one declaration for the Judicial Council's consideration. They are set forth in the draft report under the following categories:

- Access to Court Proceedings
- Enhanced Education and Training
- Conflict Resolution Among the Bench, Bar, and Media
- Implementation

The committee invites the public to comment on the draft report. The public comment period is from August 27, 2010, to October 29, 2010, at 5 p.m.

The easiest method for commenting on the draft recommendations is to use the electronic comment form on the California Courts website at www.courtinfo.ca.gov/invitationstocomment. If you plan to comment on more than one recommendation, the electronic comment form is the preferred method for submitting comments. Comments can also be provided by e-mail to BBMC@jud.ca.gov, fax to (415) 865-4588, or regular mail to the address at the end of this document.

Additional information regarding the Bench-Bar-Media Committee is located at www.courtinfo.ca.gov/jc/tflists/benchbarmedia.htm.

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